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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARNELE NELSON,

Defendants

Case No.: 2:20-cr-00195-APG-EJY

**STIPULATION TO CONTINUE
SENTENCING DATE**

(Fifth Request)

IT IS HEREBY STIPULATED AND AGREED by and between Jason M. Frierson, United States Attorney, and Kimberly Frayn, Assistant United States Attorney, counsel for the United States of America, and Todd M. Leventhal, Esq., counsel for Darnele Nelson, that the Sentencing scheduled for June 22, 2022, at 1:30 p.m. be vacated and set to a date and time convenient to this Court, but not sooner than Thirty (30) days.

The Stipulation is entered into for the following reasons:

1. The defendant is in custody but does not object to the continuance.
2. The parties agree to the continuance.
3. Counsel for the defendant needs additional time to meet with the defendant and prepare for the sentencing hearing.
4. The requested time is not for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively prepare for sentencing.

1 5. Additionally, denial of this brief request for continuance could result in a
2 miscarriage of justice and the ends of justice served by granting this request, outweigh
3 the best interest of the public and the defendant in a speedy hearing.

4 This is the first stipulation to continue the sentencing date.
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6 DATED: June 9, 2022
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8 Submitted By: LEVENTHAL & ASSOCIATES, PLLC
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10 By /s/ Todd M Leventhal

11 TODD M. LEVENTHAL
12 Counsel for Defendant Darnele Nelson
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By /s/ Kimberly M. Frayn

KIMBERLY M. FRAYN
Assistant United States Attorney

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARNELE NELSON,

Defendants

Case No.: 2:20-cr-00195-APG-EJY-1

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER**


FINDINGS OF FACT

Based on the pending stipulation of counsel, and good cause appearing therefore, the
Court finds that:

1. The defendant is in custody but does not object to the continuance.
2. The parties agree to the continuance.
3. Counsel for the defendant needs additional time to meet with the defendant and prepare for the sentencing hearing.
4. The requested time is not for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively prepare for sentencing.

The ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy hearing trial because the failure to grant it would likely result in a miscarriage of justice.

IT IS FURTHER ORDERED that sentencing currently scheduled for June 22, 2022 at the hour of 1:30 p.m., is vacated and continued to August 3, 2022 at the hour of 2 : 30 p.m.; in Courtroom 6C.

BY: 
HONORABLE ANDREW P. GORDON
United States District Court Judge

The undersigned hereby certifies that (s)he is employed in the office of Leventhal and Associates, PLLC., and is a person of such age and discretion as to be competent to serve papers.

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1 District Court by using the CM/ECF system. I further certify that counsel for defendant are
2 registered and listed participant with CM/ECF system and that service of this pleading will be
3 accomplished via CM/ECF system.
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6 /s/ Todd M Leventhal
Todd M Leventhal, Esq.
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